

## INDEX

- Accused: Compulsory examination of, 128, 130, 131; compulsory testimony of, 126; Jeremy Bentham on testimony of, 126, 127; presumed innocence of, 95.
- ACCUSED, THE PRIVILEGE OF THE, TO REFUSE TO TESTIFY. Herbert R. Limburg, 124-131.
- ALIEN, IN RELATION TO OUR LAWS, THE. Gino C. Speranza, 169-176.
- America, judges needed in legal procedure in, 206.
- AMERICAN AND CANADIAN COURTS, A COMPARISON OF SOME OF THE PRINCIPLES AND RULES OF PRACTICE OF THE. David W. Amram, 191-199.
- American Bar Association: Composition of, 80; statute advanced by, regarding reversed judgments, 100.
- American Institute of Criminal Law and Criminology, work of, for reform in criminal code, 107.
- AMERICAN JUDICATURE SOCIETY. Causes for Dissatisfaction with the Administration of Justice in Metropolitan Districts, 208-224.
- American Judicature Society, the, 81, 82.
- AMRAM, DAVID W. A Comparison of Some of the Principles and Rules of Practice of the American and Canadian Courts, 191-199.
- Bar: Methods of selecting, retiring and disciplining members of the, 217-223; need for solidarity and self-government in, 81.
- BAR, ORGANIZATION OF THE. Herbert Harley, 77-82.
- BARTELME, MARY M. The Opportunity for Women in Court Administration, 188-190.
- Bentham, Jeremy, on testimony of accused, 126, 127.
- BOLSTER, WILFRED. Adult Probation, 132-139.
- BORCHARD, EDWIN M. State Indemnity for Errors of Criminal Justice, 108-114.
- Boston, municipal court in, 135.
- Buffalo, municipal court in, 100.
- California: Commission on immigration and housing in, 168; indemnity for error in criminal justice in, 114.
- Canada: Criminal code in, 107; flexibility of legislative procedure in, 191.
- Chicago, municipal court in, 100.
- CHICAGO COURT OF DOMESTIC RELATIONS. William N. Gemmill, 115-123.
- Chief justice: Appointment of judges by, 12; filling of vacancies by, 7, 8; impeachment of, 9; power of, 9; recall of, 9; retirement of, 9; to remain judges on retirement, 9.
- Cleveland, city immigration bureau in, 168.
- Constitution: Amendment of, 26; purpose of, 14.
- Constitutional amendment: A cumbersome process, 30; adoption of, 18; advantages of recall of decisions over, 33; an illogical means in police power cases, 32; an inappropriate process, 31; arguments for, 18, 21; Bryce on, 34, 35; in case of dissatisfaction with judicial decisions, 16, 17; in Massachusetts, 23; inadequacy of, in dealing with police power cases, 30.
- Court of claims, 109, 112.

- Court of domestic relations: Cases in, 115, 119, 120; effect of, 121; function of, 116.
- COURT OF DOMESTIC RELATIONS, CHICAGO. William N. Gemmill, 115-123.
- Courts: As representative of the people, 16; division of, for handling classes of litigation, 11; enlargement of power of American, 192; multiplicity of, 194; opinion of, in determining constitutionality of laws, 29.
- Crime: Absence of statistics on, 85; new theory as to responsibility for, 64; purpose of statistics of, 83; responsibility of federal government for statistics on, 86; statistics of, 83, 84.
- CRIME FROM A STATISTICAL VIEW-POINT. John Koren, 83-88.
- Criminal cases: Criticisms against, 125; reversion of, on account of technical errors, 100.
- Criminal code, in Canada and New Zealand, 107.
- Criminal courts: Conducted under outworn technicalities, 96, 97; crime situation and the, 84; records of, as source of criminal information, 87.
- CRIMINAL JUSTICE, STATE INDEMNITY FOR ERRORS OF. Edwin M. Borchard, 108-114.
- Criminal law: Lack of uniformity in administration of, 103; mistakes in administration of, 108; modification of, 89.
- Criminal procedure: Changes in, 102, 103; code of, 102, 104; definition of, 102.
- CRIMINAL PROCEDURE, REFORM IN. William E. Mikell, 102-107.
- CRIMINAL PROCEDURE, THE EVOLUTION OF OUR. Samuel Scoville, Jr., 93-101.
- Criminalism: Business-like treatment of, 90, 91; causes of, 91; central government and, 92.
- Criminals: Absence of data concerning, 89; studies concerning, 92.
- CRIMINALS, CRITIQUE ON RECORDING DATA CONCERNING. William Healy, 89-92.
- District attorney: Duties of, 39, 41, 46; office of, 44, 45, 53.
- Divorce court, object of, 116.
- ELIOT, THOMAS D. The Trend of the Juvenile Court, 149-158.
- Elmira Reformatory, the, 90.
- England: Appointment of judges in, 200; court of criminal appeal in, 203; disregard of technicalities in trial of cases in, 201; early criminal procedure in, 93; public opinion and judges in, 201; public prosecutor in, 205; rapidity with which cases are tried in, 205; small number of courts in, 200.
- Europe: Indemnity for mistakes in criminal jurisdiction in, 110; police in, 60; presumption regarding accused in, 95.
- Families, causes for separation of, 117, 118.
- Federal courts, bill to grant relief to persons erroneously convicted in, 113.
- government: Clogged machinery of, 68; responsibility of, for criminal statistics, 86; suit against, by individuals, 109.
- jurisdiction, increase of, 68.
- Fingerprint identification system, in women's night court, 184.
- Foreman of jury, duties of, 37, 39, 40, 42.
- GEMMILL, WILLIAM N. Chicago Court of Domestic Relations, 115-123.

- Governor, appointment of judges by, 6.
- Grand jury: A valuable institution, 54; absence of members of, 39; business of, 41; difference between, and petty jury, 37; historic origin of, 37; how constituted, 37; interpreters connected with, 40; number of names on list of, 38; recommendations in regard to work of, 53; relative authority of, and district attorney, 46, 47.
- GRAND JURY OF THE COUNTY OF NEW YORK, THE. George Haven Putnam, 37-55.
- GRAY, R. S. The Advisability of a Public Defender, 177-180.
- GRIFFITHS, JOHN L. Legal Procedure in England, 200-207.
- HARLEY, HERBERT. Organization of the Bar, 77-82.
- HEALY, WILLIAM. Critique on Recording Data concerning Criminals, 89-92.
- Holmes, Mr. Justice, on the police power, 29.
- Identification, necessity of recording data for, 92.
- Illinois: Bureau of criminal statistics in, 84; juvenile court act in, 144; juvenile offenders in, 142; prisoners' earnings in, 118; wife-abandonment statute in, 119.
- IMMIGRANT, JUSTICE FOR THE. Frances A. Kellor, 159-168.
- Immigrants' court, in New York, 168.
- Immigration laws, enactment of, 173.
- Indiana, bureau of statistics in, 84.
- Indictment: Laws governing, 104; needless technicalities in, 104, 105; provisions necessary for validity of, 105; purpose of, 106.
- Judges: Appointment of, 3, 194, 200; appointment of: by chief justice, 12; by extra legal government, 5; by governor, 6; by highest appellate tribunal of state, 7; in metropolitan district, 1, 2; through primaries, 5. Choice of, by electorate, 4; complaints against, 11; confusion of recall of, with recall of decisions, 25; effect of service to organization in choice of, 5; election of, at special elections, 3, 6; election of, by people, 1; limited tenure of appointed, 10; method of selecting, 1; necessity for appointment of, in metropolitan district, 6, 12; objections to appointment of, 10; organization of, after election, 214, 215; popular dissatisfaction with, 2; power of politocrats over, 2; public opinion and English, 201; recall of, 2, 3, 10, 11, 77; salary of English, 200; selection, retirement and disciplining of, 209-213.
- JUDGES, METHOD OF SELECTING AND RETIRING, IN A METROPOLITAN DISTRICT. Albert M. Kales, 1-12.
- Judicial ballot, and rotation of candidates, 3, 4.
- council: Appointment of members of bar by, 12; effect of existence of, 12;
- election, special, 1.
- recall, attitude of lawyers toward, 77.
- system, inadequacy of, to meet demands of justice, 177.
- Judiciary, vacancies in, 7, 8.
- Jurors, votes necessary for quorum, 37, 38.
- Jury: In Ontario, 197; selection of, as judge of facts, 215, 216.
- Justice: Administration of, by private detectives, 177; efficiency in administration of, 78; responsibility of government for error in administration of, 6.

- Justice of the peace: Election of, in New York, 161; fees of, 161; influence of, on immigration, 160; investigation concerning, 163.
- JUSTICE IN METROPOLITAN DISTRICTS, CAUSES FOR DISSATISFACTION WITH THE ADMINISTRATION OF. American Judicature Society, 208-224.
- Juvenile courts: Abuses in, 147; act regarding, in Illinois, 144; as a result of opposing tendencies, 142; connection between, and domestic relations court, 150, 157; functions of, 147; functions of, to be taken over by school system, 149; in various cities, 150; need for woman in, 188; Pennsylvania act regarding, 140, 141.
- JUVENILE COURT, THE TREND OF THE. Thomas D. Eliot, 149-158.
- JUVENILE COURT MOVEMENT, FROM A LAWYER'S STANDPOINT, THE. Edward Lindsey, 140-148.
- Juvenile probation, difference between, and adult probation, 133.
- KALES, ALBERT M. Methods of Selecting and Retiring Judges in a Metropolitan District, 1-12.
- KELLOR, FRANCES A. Justice for the Immigrant, 159-168.
- KOREN, JOHN. Crime from a Statistical Viewpoint, 83-88.
- Law, necessity for reform of, 103.
- Lawyers: Allegiance of, to clients, 77; competition between, 79, 80; influence of, in choice of judges, 6; number of, 79, 80; recall of, 77, 81.
- LEGAL PROCEDURE IN ENGLAND. John L. Griffiths, 200-207.
- Legislation: Interference of, with development of common law and procedure, 192; regarding probation, 134; safeguarding against hasty, 69.
- LEGISLATION IN THE UNITED STATES, UNIFORM. Walter George Smith, 67-76.
- Legislative research fund, preparation of code of criminal procedure by, 107.
- LIMBURG, HERBERT R. The Privilege of the Accused to Refuse to Testify, 124-131.
- LINDSEY, EDWARD. The Juvenile Court Movement from a Lawyer's Standpoint, 140-148.
- Lynchings, of foreigners, 171.
- McCAFFREY, GEORGE H. The Police and the Administration of Justice, 56-60.
- Marshall, Chief Justice, on legislative power, 16.
- Massachusetts: Constitutional amendment in, 23; indemnity to acquitted or discharged persons in, 111; probation commission in, 135; probation law in, 137, 138.
- MIKELL, WILLIAM E. Reform in Criminal Procedure, 102-107.
- Minority rights, constitutional checks as safeguard of, 68.
- Minors, constitutional safeguards regarding, 145.
- Municipal courts, in various cities, 100, 135.
- Naturalization: Qualifications regarding, 166, 167; strengthening of laws regarding, 176.
- New Jersey: Administration of chancery jurisdiction in, 7; justices of the peace in, 162; juvenile court in, 151.
- New York: Criminal statistics in, 84; immigration bureau in, 172; probation commission in, 135.
- NEW YORK, THE GRAND JURY OF THE COUNTY OF. George H. Putnam, 37-55.
- New Zealand, criminal code in, 107.

- Ohio, criminal statistics in, 84.
- Ontario: Judicial opinion in legislative matters in, 198; jury in, 197; legal procedure in, 195; procedural legislation and rules of court in, 191; single court in, 193.
- Pardoning power: Abuse of, 61; effect of new theory of crime upon, 64; exercise of, 65; public sentiment and, 65; vested in governor, 62, 63.
- PARDONING POWER, THE USE OF THE. William W. Smithers, 61-66.
- Pennsylvania: Criminal statistics in, 84; juvenile court act in, 140, 141, 143; pardoning and paroling of prisoners in, 98.
- People: Power of, in arguments between legislature and courts, 26; source of power, 61.
- Petty jury, difference between, and grand jury, 37.
- Philadelphia, municipal court in, 100.
- Police: As administrators of justice, 56; as witnesses, 58, 59; different types of men as, 59, 60; in Europe, 58; necessity for high grade of men as, 59; necessity for use of discretionary power by, 56, 57, 58; no power to act without warrant, 56, 57; salary of, 60; training of, 59, 60.
- POLICE AND THE ADMINISTRATION OF JUSTICE, THE. George H. McCaffrey, 56-60.
- Police justices, influence of, on immigration, 160.
- Police power: Definition of, 27; inadequacy of constitutional amendment in deciding cases under, 30; Mr. Justice Holmes on, 29; recall of decisions on, 25.
- records, as source of information on criminals, 85.
- Politocrats: Control of, over chief justice, 8; ignorance of, 4; influence of appointing power of, 5.
- Prisoners, pardoning of, 98, 99.
- Probation: Definition of, 132; difference between adult and juvenile, 133; future of, 138; increase of judicial, 137; legislation regarding, 134; principles of, 133, 134; sphere of, 134; surrendered cases under, 137; suspension of persons on, 135.
- PROBATION, ADULT. Wilfred Bolster, 132-139.
- Probation officers: Duties of, 136; qualifications for, 135; selection of, 135.
- system: Dangers in, 137; in Wisconsin, 138, 139; lack of information concerning, 137; origin of, 132.
- Progressive platform, and recall of decisions, 27.
- Public defender: Arguments favoring, 179; need for, 180.
- PUBLIC DEFENDER, THE ADVISABILITY OF A. R. S. Gray, 177-180.
- Public prosecutor, in England, 205.
- Putnam, George Haven. The Grand Jury of the County of New York, 37-55.
- Recall of decisions: Advantages of, over constitutional amendment, 33; argument against, 15, 18, 19, 21, 22; a logical means, 36; limitation of, 14; objects of, 25; Progressive platform and, 27; Senator Root on, 24.
- RECALL OF DECISIONS, CONSTITUTIONAL GROWTH THROUGH. Donald R. Richberg, 25-36.
- RECALL OF DECISIONS, THE. Moorfield Storey, 13-24.
- Recall of judges, 77.
- RICHBERG, DONALD R. Constitutional Growth Through Recall of Decisions, 25-36.
- Roosevelt, T., on recall of decisions, 26.
- Root, Senator, on recall of decisions, 24.

- St. Louis, juvenile court in, 151.  
 Salt Lake City, juvenile court in, 151.  
 SCOVILLE, SAMUEL JR. The Evolution of Our Criminal Procedure, 93-101.  
 SMITH, WALTER GEORGE. Uniform Legislation in the United States, 67-76.  
 SMITHERS, WILLIAM W. The Use of the Pardoning Power, 61-66.  
 SPERANZA, GINO C. The Alien in Relation to Our Laws, 169-176.  
 State: Compensation by, to individuals unjustly imprisoned, 109, 110; suit against, by individuals, 109.  
 STATE INDEMNITY FOR ERRORS OF CRIMINAL JUSTICE. Edwin M. Borchard, 108-114.  
 STOREY, MOORFIELD. The Recall of Decisions, 13-24.  
 Uniform legislation: Illustrations of, 70-76; in New York, 69; most successful effort to secure, 70.  
 UNIFORM LEGISLATION IN THE UNITED STATES. Walter George Smith, 67-76.  
 Washington, municipal court in, 100.  
 WHITIN, FREDERICK H. The Women's Night Court in New York City, 181-187.  
 Wigmore, Dean, on state indemnity for criminal injustice, 109, 113.  
 Wisconsin: Indemnity for errors in criminal justice in, 114; system of probation in, 138, 139.  
 WOMEN, THE OPPORTUNITY FOR, IN COURT ADMINISTRATION. Mary M. Bartelme, 188-190.  
 Women's night court: Object of, 181; opening of, 181; system of fingerprint identification in, 184; work performed by, 183.  
 WOMEN'S NIGHT COURT IN NEW YORK CITY, THE. Frederick H. Whitin, 181-187.

